IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO.544 OF 2005
IN
NOTICE OF MOTION NO.3607 OF 2004
IN
SUIT NO.3530 OF 2004

M/s.Khushalani Investments Pvt.Ltd. Appellant
vs.
1. Gul Kachharam Achra & ors. Respondents

Mr.R.S.Apte with Mr.N.R.Bubna for the appellant.

Dr.Virendra Tulzapurkar, senior counsel with Mr.Shyam Diwan i/b. M/s.Ashwin Ankhad & Associates for the respondents 1 ansd 2.

Mr.Virag Tulzapurkar with Ms.Alpana Ghone i/b. M/s.Kanga & Co. for the respondents 3 to 7.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 18th July 2005

P.C.

For the reasons stated by us while dismissing the Appeal No.545/2005 which may be considered as part of this order as well, this appeal also deserves to be dismissed in limine.

2. The contention of the learned counsel for the appellant that the appellant company holds its original 990 shares cannot be accepted prima facie. It does appear that duplicate shares were issued to the appellant company. The said duplicate shares were

signed by Ram Achhra and Kanta Achhra, the directors of the defendant no.3 company. These duplicate shares now stand transferred in favour of the defendants 4 to 7 who are bonafide purchasers with valuable consideration.

3. The appeal is, accordingly, dismissed in limine.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)